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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,531	09/15/1999	RANDALL A. ADDINGTON	99-1001	7582

24253 7590 01/29/2008

JOEL I ROSENBLATT
445 11TH AVENUE
INDIALANTIC, FL. 32903

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 01/29/2008

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/396,531

EXAMINER

ART UNIT

PAPER

20070729

DATE MAILED:

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Commissioner for Patents

The reply brief filed 5/24/07 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Responsive to the reply brief filed on 4/6/07 and 5/24/07, a supplemental Examiner's Answer is set forth below:

At the bottom of pg. 8 appellant argues that the examiner made conclusions that the prior art is capable of performing the claimed invention without providing supporting facts and in the middle of pg. 9 and 13 appellant argues examiners reliance on inherency.

In response, attached is "The First Instrumented Bowling Ball" located at <http://www2.ntu.edu.sg/ResearchPaper/ODR/2006/GResearchArticleBOWLING1.pdf>, which shows in fig. 3 the inherent forces on the thumb, middle finger and ring finger that are produced in bowling. Vector forces are shown in fig. 9. This article is clear extrinsic evidence of the forces that are naturally placed upon the fingers an any device use thereon while delivering a bowling ball. While the article was published in March of 2006 (as mentioned in the attached email by the author Dr. Fuss), it only measure forces that are naturally occurring in bowling long before the claimed invention before the Board.

Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

A Technology Center Director or designee has approved this supplemental examiner's answer by signing below:



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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/396,531
Filing Date: September 15, 1999
Appellant(s): ADDINGTON ET AL.

Joel Rosenblatt
For Appellant

EXAMINER'S ANSWER TO REPLY BRIEF

This is in response to the reply brief filed 4/6/07 and 5/24/07 appealing from the Office action mailed 3/14/07.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.



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(11) Related Proceeding(s) Appendix

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In appellant's reply he states that there is no extrinsic evidence upon which the examiner can rely upon to support his position of inherency. In making this statement appellant is asking the Board to ignore the known physical forces that would be incurred in the rolling of a bowling ball. Two articles are included in this response in order to make these forces explicit to the Board. The first article "The First Instrumented Bowling Ball" (published March 2006 and dated by electronic communications with the author) located at

<http://www2.ntu.edu.sg/ResearchPaper/ODR/2006/GResearchArticleBOWLING1.pdf>

The second article A Biomechanical Analysis Of Bowling's 5-Step Approach explicitly break down the movements and teaches lifting with the fingers in the Follow Through Phase found at <http://webpages.charter.net/bowlfit/articles/ba.pdf>

The remaining comments in the reply brief are noted with no reply deemed necessary.

Respectfully submitted,


WILLIAM M. PIERCE
PRIMARY EXAMINER